

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SUMI *et al.*

Appl. No.: 10/815,757

Filed: April 2, 2004

For: **A Process of Making A
Piezoelectric Thin Film Component**

Confirmation No.: 9954

Art Unit: 3729

Examiner: Tugbang, Anthony D.

Atty. Docket: 1089.0260003/MAC/JHH

Reply Under 37 C.F.R. § 1.114

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Advisory Action mailed November 6, 2006, Applicants submit the following Remarks.

Remarks and Arguments begin on page 2 of this paper.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.

Remarks

Reconsideration of this Application is respectfully requested.

Based on the following remarks and the remarks previously filed in the Amendment and Reply under 37 C.F.R. §1.116 filed on September 19, 2006, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Comments Regarding the Advisory Action

The Examiner noted in the Advisory Action that the addition of the phrase "consisting of titanium" in the unentered amendment to claim 18 filed on September 19, 2006 may raise new 112, 2nd paragraph issues because it conflicts with the phrase "comprising."

The phrase "comprising" is used in claim 18 as the transitional phrase at the end of the preamble to recite the steps for the claimed method. Comprising is "open language" and allows for the claim to cover methods including additional steps. The phrase "consisting of titanium" in line 3 of claim 18 is "closed language" applied only to the material of the thin film. This particular use of "consisting" in step (a) does not conflict with the use of "comprising" as the transitional phrase.

Applicants respectfully request that claim 18 not be rejected under 35 U.S.C. §112, 2nd paragraph for the reasoning discussed in the Advisory Action.

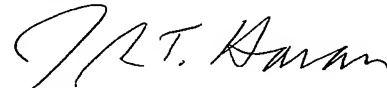
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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Date: 12/8/06

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